IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1276 of 2006 (S/S)

Dharampal Singh
S/o Sri Kishan Singh
R/o Junior Engineer Sub-Division-Ist
Laljiwala Section, North Ganga Canal
Division Irrigation, Roorkee Haridwar……Petitioner

Versus

1. Executive Engineer Northen Division
   Ganga Canal, Irrigation, Roorkee
   Haridwar.
2. Assistant Engineer
   Sub-Division-Ist Laljiwala Section
   North Ganga Canal Division Irrigation
   Haridwar.
3. Brijpal Singh, Junior Engineer
   Sub Division-IInd Bahadrabad Section
   North Ganga Canal Division
   Irrigation, Haridwar, District Haridwar

……..Respondents.

Shri Tumul Nailwal, learned counsel for the petitioner.
Shri Manoj Tiwari, learned counsel for respondent No. 3
Learned Standing Counsel for respondents No. 1 and 2.

Hon'ble Prafulla C. Pant, J

Heard learned counsel for the parties and perused the affidavit and counter affidavit.

2. By means of this petition, the petitioner has challenged the order dated 30.08.2006 (Annexure-5 to the writ petition), whereby he has been transferred from one sub-division to another sub-division of Irrigation Department.

3. Brief facts of the case are that the petitioner is a Junior Engineer with Irrigation Department, who was working

with Laljiwala Section of Ist Sub-division of Haridwar. By the impugned order, the petitioner has not been transferred from Haridwar to a different place rather he remains at Haridwar and only his sub-division has been changed

5. There does not appear to be any violation of right of the petitioner, which requires interference of this Court. Though some allegations have been made against respondent No. 3 that at his behest, the petitioner was transferred by respondents No. 1 and 2 but on going through the counter affidavit, filed on behalf of respondents No. 1 and 2, this Court is satisfied that there is no substance in the allegations made in the writ petition. In the counter affidavit, it has been stated that vide order dated 30.08.2006, in fact the petitioner has not been transferred rather only his seat has been changed from one section to another within the limits of Haridwar. It is further stated, in view of the complaints received against the petitioner, the respondents were compelled to pass the impugned order.

6. In the circumstances, the writ petition is liable to be dismissed. The same is dismissed. Interim order dated 29.09.2006, is hereby vacated. (All pending applications in this case also stand disposed of).

Dt. 30.11.2006 **(Prafulla C. Pant, J.)**
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